

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.2093 OF 2015

Pratik Vilas Bobade .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.R.Zade, Advocate, for the Applicant

Ms Veera Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 21.10.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. By this application, the applicant
seeks his enlargement on bail in connection with
C.R.No.192 of 2015 registered with the Vadgaon
Nimbalkar Police Station, Pune(Rural), for the
alleged offence punishable under Section 354B
of the Indian Penal Code, Sections 3(1)(10) of
the Scheduled Caste and Scheduled Tribe

(Prevention of Atrocities) Act and Sections 8 & 12 of the Protection of Children from Sexual Offences Act (for short "POCSO" Act).

3. The complainant at the relevant time was 17 years of age and was studying in 11th Std in a Jr.College at Someshwarnagar. The applicant aged 22 years is also a student. According to the complainant, the incident took place on 01.10.2015 when she had gone to college. She has alleged that when she was sitting for lunch, the present applicant called her out, in the porch. It is alleged that the applicant held her hand and professed his love for her. When the complainant withdrew her hand, the applicant is alleged to have abused her on the basis of her caste. Pursuant to the said incident, a complaint was lodged on 03.10.2015.

4. Learned counsel for the applicant

submits that the applicant is a student. He submits that the allegations of utterance/abuses on the basis of the caste were not made in public view.

5. Perused the papers. In particular, the complaint/FIR lodged by the complainant.

6. Considering the nature of allegations and the fact that the applicant is in custody since his arrest i.e. from 03.10.2015, the applicant is enlarged on bail on the following terms & conditions:

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the Vadgaon Nimbalkar Police Station, Pune(Rural) on every Saturday between 10:00 a.m. to 11:00 a.m. till

the filing of the charge-sheet;

(iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the conduct of the trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)